

EXHIBIT A

Summary of Personal Injury Claims Estimation Sampling Plan

Statistical sampling is a method of using established mathematical formulas to validly infer characteristics of an overall population by examining representative "samples," or subgroups, of that population. Statistical sampling methods are useful when examining the entire population would be impossible, impracticable, or highly inefficient and costly. Here, for example, there were approximately 150,000 claims pending against Debtors at the time they filed their bankruptcy petition. Examining every one of those claimants to determine key characteristics germane to the issues that Debtors expect to raise in this action (*e.g.*, whether or to what degree a claimant was exposed to any of Debtors' products that contained chrysotile asbestos, whether a claimant's radiographic readings and pulmonary functions tests indicate they are impaired by asbestosis), would be costly and unduly time consuming. By defining a representative sample of claimants and by collecting data from that sample, accurate conclusions can be drawn about the overall claimant population that will assist the Court in evaluating the impact of Debtors' various defenses.

Debtors propose to take discovery from a sample of approximately 1000 present personal injury claimants using a standardized set of written questions. This discovery will compile key information from this sample, including, without limitation, the claimants' occupational history (including whether the claimant worked in the construction industry), medical history, claimed disease and asbestos litigation history. A copy of Debtors' draft questionnaire is attached as Exhibit A.

In a stratified sampling plan, the overall sample is divided into separate sub-samples taken from subgroups of the population. From this sample, the parties can draw

statistically valid conclusions regarding key characteristics of the population as a whole as well as subgroups within that population. Using stratified sampling, valid conclusions regarding the characteristics of subgroups of the claimant population, such as claimants with specific claimed diseases, can be drawn (*e.g.*, what percentage of asbestosis claimants were exposed to a minimum level of chrysotile asbestos necessary to cause asbestosis).

Debtors propose to stratify the overall sample of 1000 into separate sub-samples corresponding to each category of disease claimed (as recorded in the CCR database). Debtors propose to sample 200 mesothelioma claimants, 200 lung cancer claimants, 200 asbestosis claimants, and 200 other cancer claimants. Within each disease category, debtors propose to sample 100 claimants who are identified in the CCR database as having worked in the construction industry and 100 claimants who did not.

To account for the fact that a significant number of claimants in the CCR database failed to report any specific disease, Debtors also propose to include a sub-sample of 200 such claimants. Claimants in the “unknown/unstated” disease category will be allocated to the appropriate disease category once claims forms containing this information are returned by claimant. This claim form information may also be used to calibrate any disease category information imputed to unknown/unstated diseases in the CCR database.

Using a sample size of 200 claimants per disease category will ensure that, within any specific sub-sample, it can be concluded with 95% confidence that any given characteristic of the sampled population will be within 7% of that within the actual population.

Debtors propose to identify claimants to be sampled using a stratified systematic

sample with random start method, further described as follows:

- (1) Each of the approximately 150,000 claimants in the CCR database will be sorted into 10 groups corresponding to the 5 disease categories subdivided by occupational category (*i.e.*, occupational history in construction or non-construction), with claimants in each group sorted alphabetically by state of residence.
- (2) For each of the 10 disease category/occupational history groups a sampling ratio ⁿ will be determined to produce a total stratum size sample of 100. (For example, if the stratum size was 20,000, the sampling ratio ⁿ would be 200 because by selecting every 200th plaintiff from the stratum, you would end up with a sample of 100). A sub-sample for each disease/occupational history category will then be constructed by sampling every ⁿth individual, beginning with a start selected at random.
- (3) Individual claimants are sampled in this fashion until an overall sample of 1000 is constructed.